

DETAILED ACTION

Response to BPAI Decision

1. In the decision rendered April 30, 2009, the Board of Patent Appeals and Interferences affirmed the rejections against claims 1, 3-34, and 36-38. The rejection of claim 35 was withdrawn in the Examiner's Answer of April 16, 2008, and, as such, claim 35 stands objected to as being dependent upon a rejected base claim. There are no allowed claims in the application. The independent claims are cancelled by the examiner in accordance with MPEP § 1214.06. Therefore, claim 35 is incomplete because the claim on which it depends has been canceled by the Examiner.

2. Applicant is given a ONE MONTH TIME PERIOD from the mailing date of this letter in which to present dependent claim 35 in independent form including all of the limitations of base claim 29 and intervening claim 34 to avoid ABANDONMENT of the application. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED. Prosecution is otherwise closed.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. West whose telephone number is (571)272-2226. The examiner can normally be reached on Monday through Friday, 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on (571)272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey R. West/
Primary Examiner, Art Unit 2857

July 17, 2009